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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, DECEMBER 5, 2001

APPLICATIONS OF

THE NEW POWER COMPANY

CASE NO. PUE010480

For permanent licenses to conduct
business as an electric and natural
gas competitive service provider
and aggregator

and

THE NEW POWER COMPANY

CASE NO. PUE000435

For a license to conduct
business as an electric
service provider and an
aggregator in a retail
access pilot program

ORDER GRANTING LICENSES

On October 1, 2001, The New Power Company ("New Power" or "the Company"), completed an application with the State Corporation Commission ("Commission") to convert and expand its pilot licenses, License Nos. PE-13, PG-4, and PA-3A,¹ to permanent licenses to provide competitive electric and natural gas services and to act as an aggregator to residential and commercial customers throughout the Commonwealth of Virginia as

¹ These pilot licenses permit the Company to provide competitive electric and natural gas services and to act as an aggregator in the retail access pilot programs of Virginia Electric and Power Company ("Virginia Power"), Columbia Gas of Virginia, Inc. ("CGV"), and Washington Gas Light Company ("WGL").

the Commonwealth opens up to retail access and customer choice. The Company attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 of the Commission's Rules Governing Retail Access to Competitive Energy Services ("Retail Access Rules").

On October 16, 2001, the Commission issued its Order For Notice and Comment, establishing Case No. PUE010480, requiring New Power to provide notice of its application to each electric and gas utility in Virginia, and providing for the receipt of comments from the public. No comments from the public on New Power's application were received.

On November 21, 2001, Staff filed a response to New Power's application. In its response, Staff advised that it did not oppose New Power's application. However, Staff recommended that Case No. PUE000435, the docket in which the Commission granted the Company its retail access pilot licenses, be closed, and that New Power be directed to file the reports required by the Commission's Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs, 20 VAC 5-311-10 et seq. ("Interim Rules"), in the captioned docket, Case No. PUE010480. The Staff contends that this action would result in the efficient administration of the Commission's docket.

NOW UPON consideration of New Power's application to convert its present licenses to permanent licenses to conduct

these activities, and the Staff's response, the Commission is of the opinion and finds that New Power's request should be granted; that Case No. PUE000435 be closed; and that any reports that New Power must file in accordance with the Interim Rules be filed in the captioned docket, Case No. PUE010480.

Accordingly, IT IS ORDERED THAT:

(1) New Power's pilot license, License No. PE-13, is hereby cancelled and replaced with License No. E-10 for the provision of competitive electric service to residential and commercial customers in Virginia Power's retail access pilot program and throughout the Commonwealth of Virginia as the Commonwealth opens up to retail access and customer choice.

(2) New Power's pilot license, License No. PG-4, is hereby cancelled and replaced with License No. G-12 to provide competitive natural gas service to residential and commercial customers in conjunction with the retail access pilot program of CGV, the retail access program of WGL, and throughout the Commonwealth of Virginia as the Commonwealth opens up to retail access and customer choice.

(3) New Power's pilot license, License No. PA-3A, is hereby cancelled and replaced with License No. A-11 to provide aggregation services to residential and commercial customers in conjunction with the retail access pilot programs of Virginia Power and CGV, the retail access program of WGL, and throughout

the Commonwealth of Virginia as the Commonwealth opens up to retail access and customer choice.

(4) These licenses are not valid authority for the provision of any product or service not identified within the license itself.

(5) Failure of The New Power Company to comply with the Interim Rules, the Retail Access Rules, the provisions of this Order, other State Corporation Commission orders and rules, or other applicable state or federal laws may result in an enforcement action by the Commission including, without limitation, the revocation, suspension, or modification of the license granted herein, the refusal to renew such licenses, the imposition of appropriate fines and penalties, or such other additional actions as may be necessary to protect the public interest.

(6) Case No. PUE000435 is hereby closed.

(7) This matter shall remain open pending the receipt of any reports required by the Interim Rules and the Retail Access Rules.